

Appl. No. 09/692,634  
Atty. Docket No.8308  
Amdt. dated April 10, 2006  
Reply to Office Action of 12/23/05  
Customer No. 27752

### AMENDMENT TO THE CLAIMS

This listing of claims replaces all prior versions and listings of claims in the application.

#### Listing Of Claims

Claim 1 (Currently Amended) A method for treating cold or influenza viruses wherein the method comprises the step of spraying into the nasal turbinates a composition comprising: pyroglutamic acid and an organic acid having a dissociation constant (pKa) value from about 3.0 to about 5.0; and a pH adjusting agent; wherein the ~~combination of said pyroglutamic acid and organic acids provides a surface pH of the nasal cavity tissue from about 3.5 to about 5.5, and wherein the nasal~~ composition is a homogeneous liquid solution having a pH value from about 3.5 to about 5.5 on the nasal tissues.

Claim 2 (Currently Amended) The method of claim 1 wherein the pyroglutamic acid is at a level from about ~~0.01%~~ 1% to about 20% by weight of the composition.

Claim 3 (Previously Presented) The method according to claim 1 wherein the composition comprises from about 0.01% to about 10% by weight of the organic acid.

Claim 4 (Previously Presented) The method according to claim 3 wherein the organic acid is selected from the group consisting of ascorbic acid, mono-, di-, tri-carboxylic acids and mixtures thereof.

Claim 5 (Previously Presented) The method according to claim 4 wherein the organic acid is selected from the group consisting of salicylic, fumaric, benzoic, glutaric, lactic, citric, malonic, acetic, glycolic, malic, adipic, succinic, aspartic, phthalic, tartaric, glutamic, gluconic, and mixtures thereof.

Claim 6 (Previously Presented) The method according to claim 1 wherein the composition further comprises a mucoadhesive agent wherein the viscosity of the final composition is less than about 1000 cps wherein the composition has a pH of about 3.5.

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Claim 7 (Previously Presented) The method according to claim 6 wherein the mucoadhesive agent is selected from the group consisting of carboxypolymethylene, carboxyvinyl polymers, homopolymers of acrylic acid crosslinked with an allyl ether of pentaerythritol, homopolymers of acrylic acid crosslinked with an allyl ether of sucrose, homopolymers of acrylic acid crosslinked with divinyl glycol, and mixtures thereof.

Claim 8-19 (Canceled).

Claim 20 (Currently Amended) The method according to claim 1 wherein the composition further comprises metal salts of metals selected from the group consisting of: zinc, copper, tin, silver, iron, aluminum, nickel, cobalt, manganese, and mixtures thereof.

Claim 21 (Previously Presented) The method according to claim 20 wherein the metal salt is at a level from about 0.01% to about 10% by weight of the composition.

Claim 22 (Previously Presented) The method according to claim 21 wherein the metal salt is selected from the group consisting of acetates, ascorbates, chlorides, benzoates, citrates, gluconates, glutarates, lactates, malates, malonates, salicylates, succinates, and combinations thereof.

Claim 23 (Previously Presented) The method according to claim 22 wherein the organic acid comprises from about 0.01% to about 10% by weight of the composition.

Claim 24 (Previously Presented) The method according to claim 23 wherein the organic acid is selected from the group consisting of ascorbic acid, mono-, di- and tri-carboxylic acids and mixtures thereof.

Claim 25 (Previously Presented) The method according to claim 24 wherein the organic acid is selected from the group consisting of salicylic, fumaric, benzoic, glutaric, lactic, citric, malonic, acetic, glycolic, malic, adipic, succinic, aspartic, phthalic, tartaric, glutamic, gluconic, and mixtures thereof.

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**Claim 26 (Previously Presented)** The method according to claim 20 comprising a mucoadhesive agent wherein the viscosity of the final composition is less than about 1000 cps wherein the composition has a pH of about 3.5.

**Claim 27 (Previously Presented)** The method according to claim 26 wherein the mucoadhesive agent is selected from the group consisting of carboxypolymethylene, carboxyvinyl polymers, homopolymers of acrylic acid crosslinked with an allyl ether of pentaerythritol, homopolymers of acrylic acid crosslinked with an allyl ether of sucrose, homopolymers of acrylic acid crosslinked with divinyl glycol, and mixtures thereof.

**Claims 28-30 (Canceled).**

**Claim 31 (New)** The method according to claim 1 wherein the pH adjusting agent is selected from the group consisting of: sodium bicarbonate, sodium phosphate, sodium hydroxide, ammonium hydroxide, sodium stannate, triethanolamine, sodium citrate, and mixtures thereof.

**Claim 32 (New)** The method according to claim 20 wherein the pyroglutamic acid is at a level from about 1% to about 20% by weight of the composition.

**Claim 33 (New)** The method according to claim 20 wherein the pH adjusting agent is selected from the group consisting of: sodium bicarbonate, sodium phosphate, sodium hydroxide, ammonium hydroxide, sodium stannate, triethanolamine, sodium citrate, and mixtures thereof.

**Claim 34 (New)** A method for treating cold or influenza viruses wherein the method comprises the step of spraying into the nasal turbinates a composition comprising: pyroglutamic acid, wherein the pyroglutamic acid is at a level from about 1% to about 20% by weight of the composition;

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an organic acid selected from the group consisting of: ascorbic acid, citric acid, and mixtures thereof;  
a pH adjusting agent; and  
wherein the composition is a homogeneous liquid solution having a pH value from about 3.5 to about 5.5 on the nasal tissues.

Claim 35 (New) The method according to claim 34 wherein the pH adjusting agent is selected from the group consisting of: sodium bicarbonate, sodium phosphate, sodium hydroxide, ammonium hydroxide, sodium stannate, triethanolamine, sodium citrate, and mixtures thereof.

Claim 36 (New) The method according to claim 34 wherein the composition further comprises metal salts of metals selected from the group consisting of: zinc, copper, tin, silver, iron, aluminum, nickel, cobalt, manganese, and mixtures thereof.

Claim 37 (New) The method according to claim 36 wherein the metal salt is selected from the group consisting of: acetates, ascorbates, chlorides, benzoates, citrates, gluconates, glutarates, lactates, malates, malonates, salicylates, succinates, and combinations thereof.